

Decision 931.69 JUN 2 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of: California and Western States)
Ammonia Transport, Inc. DBA Cal-)
ifornia Ammonia Transport A Cal-)
ifornia Corporation For authority)
to deviate from the provisions of)
General Order No. 102-G in)
connection with the time of)
payment of subhaulers.)

ORIGINAL

Application 60398
(Filed March 27, 1981)

OPINION AND ORDER

By this application, California and Western States Ammonia Transport, Inc. doing business as California Ammonia Transport, a California corporation, requests authority to deviate from the provisions of General Order 102-G requiring payment to subhaulers within 15 days of the completion of the transportation. The proposed payment would be made on or before the 20th day of the following month.

Applicant states that the justification for the requested deviation lies in the fact that all expenses incurred by the subhauler in the operation of his unit are charged to the prime carrier, and deducted from settlement at the time paid. Applicant further states that this is its present pattern of payment to subhaulers and has been in use for several years.

There is nothing unique in this application to distinguish it from the requests of Amaral Trucking, Inc.

(Decision 92588 of January 6 1981, Application 59638) or Guthmiller Trucking, Inc. (Decision 92634 of January 21, 1981, Application 60093). Those requests were denied.

The Commission in Decision 92588 said:

"General Order No. 102-G became effective on November 7, 1980, some nine months after its issuance. We feel that that time period has afforded both prime carriers and sub-haulers ample time to adjust their schedule of financial transactions."

Findings of Facts

1. Applicant engages subhaulers on a regular basis.
2. Applicant deducts expenses incurred by subhaulers that are charged to the prime carrier at the time of payment.
3. General Order 102-G was issued on January 15, 1980 and became effective November 7, 1980, over nine months after issuance.
4. Nine months' advance notice is sufficient time for overlying and underlying carriers to adjust their schedule of financial transactions to comply with General Order 102-G without undue burden.

Conclusions of Law


1. The facts do not constitute sufficient reason to grant this application.


2. The application should be denied.
3. A public hearing is not required.


IT IS ORDERED that the application of California and Western States Ammonia Transport, Inc. doing business as California Ammonia Transport to deviate from the provisions of General Order 102-G is denied.


This order becomes effective 30 days from today.

Dated JUN 2 1981, at San Francisco, California.



President






Commissioners

Commissioner Priscilla C. Grew, being necessarily absent, did not participate in the disposition of this proceeding.